

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:16-cr-221-MOC-DCK-7

UNITED STATES OF AMERICA

Vs.

MICHAEL ALLEN DUKE,

Defendant.

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ORDER

THIS MATTER is before the Court on defendant's pro se "Motion to Vacate Judgement Pursuant to Fed. R. Crim. P. 33, Rule 45(b)(1)(B), Rule 12 and Fed. R. Civ. P. 60(B) 1-3 & 6." (#444).

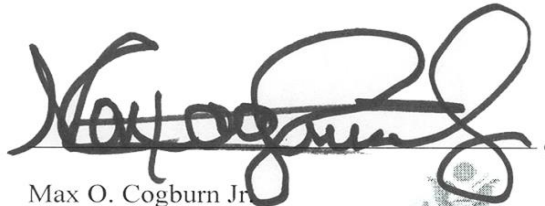
Defendant is represented by counsel in this matter.¹ Under L.Cr.R. 47.1(g), the Court typically does not entertain *pro se* motions by parties who are already ably represented by counsel. Defendant is encouraged to consult with his counsel about filing any appropriate motions on his behalf, and the Court will gladly hear any motion defendant's counsel makes on his behalf. Having thus considered defendant's motion and reviewed the pleadings, the Court enters the following Order.

ORDER

¹ Counsel has filed a Motion to Withdraw as Counsel, but the Court has indicated that it will consider the motion at Defendant's sentencing, which has not yet been scheduled. See (#442, #443). In any event, Defendant is still represented by counsel at this time.

IT IS, THEREFORE, ORDERED that defendant's pro se "Motion to Vacate Judgement Pursuant to Fed. R. Crim. P. 33, Rule 45(b)(1)(B), Rule 12 and Fed. R. Civ. P. 60(B) 1-3 &6" (#444) is **DENIED without prejudice.**

Signed: December 30, 2019



Max O. Cogburn Jr.
United States District Judge